

REMARKS

The indication of allowable subject matter in claims 17, 18, 20-22, 24, 25 27-29 and 31-33 is acknowledged with appreciation.

The Examiner is thanked for the courtesies extended during the personal interview held August 2, 2004, the substance of which is reflected in the foregoing amendments and following remarks.

The rejection of claims 17, 18, 21, 22, 24, 25, 27-29 and 31-33 under 35 U.S.C. §112, second paragraph, are believed overcome by the foregoing amendments. Claim 17, recites Formula I, where Y is oxygen which finds clear support in the specification. The 2a which appears in claim 17 is merely positional nomenclature for the ring structure. Claim 18 is independent and precludes R⁹ from being hydrogen and makes certain steps of the process non-optional. Claim 21 recites that the base reagent is piperidine. Claim 24 recites formula I instead of Ia', and the reference to Ib has been removed. Claim 27 provides a positive recitation for R⁸⁰¹. Finally, claim 31 has been corrected to properly refer to claim 27.

In view of the foregoing, the application is respectfully submitted to be in condition for allowance, and prompt favorable action thereon is earnestly solicited.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 029300.49227US).

Respectfully submitted,

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J. D. Evans
Registration No. 26,269
Christopher T. McWhinney
Registration No. 42,875

CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844

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